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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/671,161	09/28/2000	HARUO MACHIDA	35.C14841	8435

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FITZPATRICK CELLA HARPER & SCINTO  
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NEW YORK, NY 10112

EXAMINER
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LUU, SY D

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 03/24/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/671,161

Applicant(s)

MACHIDA, HARUO

Examiner

Sy D Luu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003 and 11 September 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 22-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22-24 is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

1. This communication is responsive to Amendment A, filed 12/15/03.
2. Claims 1-24 are pending in this application. Claims 1, 8, 15, and 22-24 are independent claims. In the Amendment A, claims 22-24 were added, claims 16-21 were cancelled, and claims 1, 3, 8, 10 and 15 were amended. This action is made Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Specification***

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goshey et al. ("Goshey", US 6,327,613 B1) in view of Kean (EP 0457445 A).

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As per claim 1, Goshey teaches an information processing apparatus which can communicate through a network with each of a plurality of information processing apparatuses connected to said network, comprising:

display means for displaying an icon indicative of each of said plurality of information processing apparatuses onto a virtual system display screen, said virtual system display screen graphically displaying connecting states of said plurality of information processing apparatuses and peripherals locally connected to each of said information processing apparatuses (figs. 2A and 2D; col. 2, lines 34-42, col. 4, lines 31-42; col. 5, lines 49-64; *apparatuses 116 and peripherals 118-130*);

obtaining means for obtaining information of the peripherals locally connected to said information processing apparatus from each of said plurality of information processing apparatuses, first control means for displaying icons indicative of the peripherals locally connected to said information processing apparatus corresponding to the icon as a target of a user action in response to said user action for the icon of the information processing apparatus on said virtual system display screen on the basis of the information obtained by said obtaining means, and second control means for calculating display positions of the icons which have already been displayed on said virtual system display screen on the basis of a display space of the icon of the peripheral which is newly displayed on said virtual system display screen by said first control means (figs. 2A and 2D; col. 4, lines 51-60; col. 5, lines 49-64; *icons being obtained and displayed in a hierarchical manner in display list area 206 with "+" and "-" icons for expanding/collapsing display control of peripherals relating to apparatuses*).

While teaching the control means for calculating display positions of the icons, Goshey does not teach the control means to change positions of the icons which have already been displayed. Kean teaches an automatic layout of network topology, wherein such a means for changing positions of already displayed nodes/icons is performed (Abstract; col. 2, lines 5-8). It would have been obvious to an artisan at the time of the invention to combine Kean's teaching with Goshey's apparatus in order to make room for new expanded nodes/icons while still providing the users the overall graphical representations.

As per claim 2, Goshey teaches said user action to include a first user action for selecting the icon of the information processing apparatus on said virtual system display screen by a pointing device (fig. 2D; *any of the icons and their associated "+" and "-" icons for expanding/collapsing display control*).

As per claims 3-5, Goshey teaches said user action to include a second user action for selecting the icon of the information processing apparatus on said virtual system display screen by a pointing device and selecting the icon of the peripheral locally connected to said information processing apparatus different from the information processing apparatus corresponding to said icon, wherein said first control means further comprises discriminating means for discriminating whether the icon of the peripheral locally connected to said information processing apparatus selected by said second user action is displayed on said virtual system display screen or not on the basis of attributes of the peripheral corresponding to the icon selected by said second user action, and only the icon of the peripheral in which a discrimination result by said discriminating means indicates an affirmative decision is displayed, and said discriminating means outputs an affirmative decision with respect to the peripheral which can

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operate in an interlocking relational manner with the peripheral corresponding to the icon selected by said second user action (col. 9, lines 11-38; col. 6, lines 50-67; *rights and access privileges determine the display of peripherals availability*).

As per claims 6-7, Goshey further suggests peripherals to be any type of devices connecting to network apparatuses, operatable in an interlocking relational manner, that are not assigned a drive letter such as scanners (col. 5, lines 36-48). Fax and printers would have been other examples of this type.

Claims 8-14 are similar in scope to claims 1-7 respectively, and are therefore rejected under similar rationale.

Claim 15 is similar in scope to claim 1, and is therefore rejected under similar rationale.

### ***Response to Arguments***

7. Applicant's arguments with respect to the amended independent claims have been considered but are moot in view of the new ground(s) of rejection.

The Examiner agrees that Goshey does not disclose the claim limitations. Rather, the claims have been rejected in view Kean.

### ***Allowable Subject Matter***

8. Claims 22-24 are allowed.

9. The following is an examiner's statement of reasons for allowance:

The prior art made of record fails to anticipate or make obvious the claimed invention. Specifically, the prior art fails to teach, in combination with the remaining elements:

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second control means for controlling said display means to display each of the icons displayed by said the first control means such that a user may recognize whether a driver for the peripheral corresponding to the icon has been installed to make the peripheral available as recited, or similarly recited in claims 22-24.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Inquires***

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (703) 305-0409. The examiner can normally be reached on Monday - Thursday from 7:00 am to 4:30 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

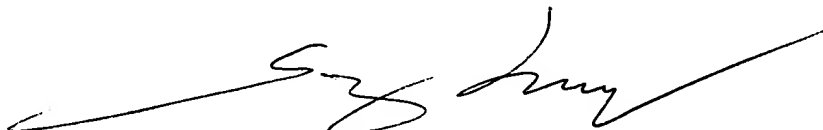
The fax number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, appearing to read 'Sy Luu', with a long horizontal stroke extending to the left and a checkmark-like flourish on the right.

**SY D. LUU**  
**PRIMARY EXAMINER**